

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DUANE M. MAGEE,
Petitioner,
v.
RON BROOMFIELD,
Respondent.

Case No. [21-cv-02675-EMC](#)

ORDER OF TRANSFER

Petitioner has filed a petition for writ of habeas corpus to challenge his conviction and sentence from the San Bernardino County Superior Court. San Bernardino County lies within the venue of the Central District of California. Petitioner is confined at San Quentin State Prison, located in Marin County and within the venue of the Northern District of California. Venue is proper in a habeas action in either the district of confinement or the district of conviction, 28 U.S.C. § 2241(d), although a petition challenging a conviction or the sentence imposed is preferably heard in the district of conviction. *See* N. D. Cal. Habeas L.R. 2254-3(b). The preferred venue is the Central District of California because Petitioner was convicted and sentenced in that district. Pursuant to 28 U.S.C. § 1404(a) and Habeas L.R. 2254-3(b), and in the interests of justice, this action is **TRANSFERRED** to the United States District Court for the Central District of California. The Clerk shall transfer this matter.

IT IS SO ORDERED.

Dated: May 4, 2021


EDWARD M. CHEN
United States District Judge